



MICHIGAN SUPREME COURT  
**MICHIGAN JUDICIAL INSTITUTE**

Michigan Hall of Justice • PO Box 30205 • Lansing, MI 48909  
phone: (517) 373-7171 fax: (517) 373-7615 Web site: [courts.mi.gov/mji](http://courts.mi.gov/mji)

September 18, 2006

## **PROGRAM ANNOUNCEMENT**



### **Legal Update on Practices and Procedures for District, Circuit, Family, and Probate Judges**

October 30, 2006  
Hall of Justice Conference Center  
Lansing, Michigan

#### **INTRODUCTION**

The Michigan Judicial Institute (MJJI) is pleased to announce a one-day seminar for new and experienced trial court judges. The seminar will offer presentations on the following topics:

- ◆ Proper Disqualification and Remittal Procedures.
- ◆ Criminal Law Update.
- ◆ Enhancing the Conservatorship and Guardianship Appointment and Oversight Process.
- ◆ Select Domestic Relations Issues: Resolving Questions about Substantial Change of Circumstances and Proper Cause, Common Legal Residence, Change of Domicile, and the 100 Mile Rule.

#### **DESCRIPTION**

This seminar is designed to provide judges an opportunity to review select areas of law and procedure as well as discuss practices that enhance judicial decision making and oversight functions.

The morning session offers a review of the proper disqualification and remittal procedures, following the *Adair v Michigan*, 474 Mich 1027 (2006) decision. After reviewing the decision and discussing the implications for future practices, judges will have an opportunity to apply the holding to common disqualification and conflict of interest scenarios and discuss best practices in those situations.

The afternoon offers simultaneous educational sessions on the following topics:

**Criminal Law Update** – District and circuit court judges will review significant United State Supreme Court, Michigan Supreme Court and Court of Appeals decisions impacting criminal law and procedure.

**Enhancing the Conservatorship and Guardianship Appointment and Oversight Process** – Probate court judges will review practices that ensure a fiduciary is qualified to act in a position of trust and the resources available to improve the judge's ability to oversee the process. The session will also discuss practices for setting fees for court appointed fiduciaries and GALs, and how to set fees for acting as both an attorney and fiduciary. Finally, the session will discuss court practices that minimize the potential for conflict of interest situations.

**Select Domestic Relations Issues: Resolving Questions about Substantial Change of Circumstances and Proper Cause, Common Legal Residence, Change of Domicile, and the 100 Mile Rule** – Family division judges frequently see motions for change of custody based on change of circumstances as well as challenges to legal residence, change of domicile and the 100 mile rule determinations. This session will review the law and discuss practices that comply with the required legal findings and assist the judge in making his or her decision.

## **FACULTY**

Proper Disqualification and Remittal Procedures: Mr. Thomas Byerley, JD, Michigan Judicial Institute; Mr. Paul Fischer, JD, Judicial Tenure Commission; and Ms. Deborah Green, JD, State Court Administrative Office, Region I.

Criminal Law Update: Mr. Timothy Baughman, JD, Wayne County Prosecutor's Office.

Enhancing the Conservatorship and Guardianship Appointment and Oversight Process: The Honorable Pamela Gilbert O'Sullivan, Macomb County Probate Court and The Honorable Thomas Nelson, Berrien County Probate Court.

Select Domestic Relations Issues: Resolving Questions about Substantial Change of Circumstances and Proper Cause, Common Legal Residence, Change of Domicile, and the 100 Mile Rule: The Honorable Janelle Lawless, Ingham County Probate Court and Ms. Shawn Perry, JD, Ingham County Friend of the Court.

## **ELIGIBLE PARTICIPANTS**

This seminar is designed for new and experienced judges. On-site registration is limited to 90 participants and applicants will be selected on a first-come, first-served basis.

## SEMINAR SCHEDULE

8:45 – 9:00 a.m.	Seminar Registration/Webcast* sign-on
9:00 a.m. – Noon	Proper Disqualification and Remittal Procedures
Noon – 1:00 p.m.	Group Luncheon
1:00 – 4:00 p.m.	Simultaneous Sessions: <ul style="list-style-type: none"><li>• Session A – Criminal Law Update</li><li>• Session B – Enhancing the Conservatorship and Guardianship Appointment and Oversight Process</li><li>• Session C - Select Domestic Relations Issues: Resolving Questions about Substantial Change of Circumstances and Proper Cause, Common Legal Residence, Change of Domicile, and the 100 Mile Rule</li></ul>
4:00 p.m.	Seminar Adjourns

\*The morning session, “Proper Disqualification and Remittal Procedures” will be offered on-site at the Michigan Hall of Justice in Lansing and as a live webcast. An archived webcast of this session will be available for viewing on the Supreme Court website approximately one week after the live broadcast. The afternoon probate, family and district and circuit sessions will be offered as on-site sessions only.

## SEMINAR REGISTRATION REQUIRED

**Registration for on-site attendance:** Seating is limited and will be on a first-come, first-served basis. If you are interested in attending this program at the Hall of Justice in Lansing, please complete the attached application and fax to MJJ as indicated on the form.

### **Registration for LIVE Webcast:**

Access the MJJ website at <http://courts.michigan.gov/mjj/>.

Click on “Seminars/Webcasts” and choose “Webcast Registration” from the drop-down menu.

From the list of programs, click on “WEBCAST: Proper Disqualification and Remittal Procedures.”

Click on “Register” in the description box to the left.

Complete the form as requested and click on “Submit.”

You will receive a webcast “PIN number” five days prior to the program.

**NOTE: Please test your computer for webcast compatibility using the “test” option on the MJJ web page OR simply try viewing one of the archived MJJ programs. For technical difficulties please call the you-niversity.com help desk @ 1-877-867-7300.**

Those viewing the on-line archived session AFTER October 30, need NOT register.

### **Large Group Viewing of Webcast**

If your court is interested in setting up a room to accommodate a large group for webcast viewing and you require technical assistance, please contact your court’s network administrator AND/OR Cathy Weitzel at [weitzelc@courts.mi.gov](mailto:weitzelc@courts.mi.gov) for further information. ONE person needs to register on-line as a representative for the viewing group. Information pertaining to the webcast will be e-mailed to the registered representative.

## CONFIRMATION

**Applicants for webcast participation** will be e-mailed a PIN number five days prior to the date of the program.

**Applicants for on-site attendance** will be mailed a confirmation letter detailing specific on-site registration information. If you have not received a confirmation letter by October 9, please contact MJJ as indicated below.

## **LODGING & MEALS**

MJI will provide double-occupancy at the Lansing Sheraton Hotel for all participants whose courts are located more than 100 miles from the seminar site, the night prior to the seminar (Sunday, October 29). If you request a single-occupancy room, you will be responsible for one-half of the double-occupancy room rate. Please make an appropriate lodging request on the attached registration form.

All seminar participants will receive complimentary coffee, tea and ice water throughout the seminar. In addition, participants will be provided with a complimentary group luncheon and a parking pass for the HOJ visitor lot. All other incidentals, including dinner, mileage, entertainment, phone calls, etc., are the responsibility of each individual or his/her funding unit.

Facility space constraints will not allow MJI to make any arrangements to accommodate spouses, family or friends of a seminar participant for meals or the seminar itself.

MJI programs are offered at facilities that accommodate persons with disabilities. If you require special accommodations during the program, please indicate your needs on the attached registration form.

## **QUESTIONS**

If you have questions about the webcast technology, please contact Cathy Weitzel at [weitzelc@courts.mi.gov](mailto:weitzelc@courts.mi.gov) or call (517) 373-7510. If you have questions concerning the application process, please contact Tricia Shaver at [shavert@courts.mi.gov](mailto:shavert@courts.mi.gov) or call (517) 373-7452. If you have questions about the content of the program, please contact Dawn McCarty at [mccartyd@courts.mi.gov](mailto:mccartyd@courts.mi.gov) or (517) 373-7509.

**REGISTRATION DEADLINE**  
**Friday, October 6, 2006**

# On-Site Registration Form

Michigan Judicial Institute

## Legal Update on Practices and Procedures for District, Circuit, Family, and Probate Judges

October 30, 2006

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Court Name/Number: \_\_\_\_\_ Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_ E-mail: \_\_\_\_\_

### Morning Session

☒ Proper Disqualification and Remittal Procedures

### Afternoon Simultaneous Sessions

☐ Session A: Criminal Law Update (District and Circuit Judges)

☐ Session B: Enhancing the Conservatorship and Guardianship Appointment and Oversight Process (Probate Judges)

☐ Session C: Select Domestic Relations Issues (Family Division Judges)

### Lodging Policy

MJI will provide double-occupancy lodging the night prior to the seminar (Sunday, October 29) at the Lansing Sheraton Hotel for all participants whose courts are located more than 100 miles from the seminar site. All rooms are double-occupancy and will be assigned roommates by MJI. If you wish for a single-occupancy room, you will be required to pay approximately \$40.00, plus tax, per night at the time of checkout. Please indicate your accommodations preference below. Room reservations must be made with MJI by **Friday, October 6, 2006**.

Our seminars are offered at facilities that accommodate persons with disabilities. Therefore, if you require special accommodations, please indicate your needs below.

### Lodging Accommodations

☐ I **will not** require lodging.

☐ I **will** require lodging for the evening of:

☐ Sunday, October 29

☐ I prefer a single-occupancy room. (I will pay approximately \$40.00, plus tax)

☐ I prefer a double-occupancy room. (MJI pays and will assign a roommate.)

☐ I am a **smoker**

☐ I am a **non-smoker**

Preferred Roommate: \_\_\_\_\_ Court: \_\_\_\_\_

### Accommodations Guarantee

If MJI does not receive a credit card number your room will **NOT** be guaranteed. Rooms not guaranteed will be released by the hotel at 5:00 p.m. To guarantee, please provide the following credit card information.

☐ American Express ☐ MasterCard ☐ Diners Club ☐ Visa ☐ Discover ☐ Other: \_\_\_\_\_

Credit Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

### Lodging Cancellation

**MJI arranges guaranteed room reservations based on your request.** If you do not call the hotel and cancel your reservations by 5:00 p.m. on the date of the reservation, the cost of the room will be charged by the hotel to the credit card account you have provided.

Signature of Applicant \_\_\_\_\_

\_\_\_\_\_  
Date

Chief Judge Signature \_\_\_\_\_

\_\_\_\_\_  
Date

Return completed and **SIGNED** Registration Form by **Friday, October 6, 2006**, to:  
Tricia Shaver **Fax: (517) 373-7615**